IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

WP(C).No. 28943 of 2007(U)

PETITIONER:

SHIJI M.R.,
PROPRIETOR, MRIDHUL TIMBERS, VENGINISSERY P.O.,
THRISSUR DISTRICT-680 575.

BY ADV. SRI.K.M.FIROZ

RESPONDENTS:
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1. THE INTELLIGENCE INSPECTOR,
SQUAD NO.III, THRISSUR, DEPARTMENT OF
COMMERCIAL TAXES AT MINI STATION,
IRINJALAKUDA, THRISSUR DISTRICT.

2. THE COMMISSIONER OF COMMERCIAL TAXES,
THE COMMERCIAL TAXES DEPARTMENT,THIRUVANANTHAPURAM

BY GOVERNMENT PLEADER SRI.C.K.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 28943 OF 2007
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Dated this the 28th day of September, 2007

J U D G M E N T

Petitioner is aggrieved by Ext.P6, by which the goods have been detained. Learned counsel for the writ petitioner takes strong exception to the reasons mentioned in Ext.P6 for detention. I have gone through the reasons assigned in Ext.P6. At this stage, I do not wish to get into merits of the controversy raised. But at the same time the goods cannot be allowed to be detained pending enquiry in pursuance to Ext.P6. Therefore the appropriate order that could be passed at this stage is only to direct release of the goods covered by Ext.P6, on the petitioner furnishing a bond. Thereafter the authority will be entitled to continue the enquiry as provided for in the statute. It is also directed that for the purpose of a proper adjudication of the

issue, a mahazar will be prepared and sample also should be drawn and kept.

With these directions, the writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp